App. F. IX-4

Previous References

192 ?:3x (Laws)

File No. 14 C 29

Serial Nos. 1-4

Later References

Preserve 31/10/43

General and Revenue Secretariat.

Serial Nos. Nos

Part B for 1 Oct 1930

SUBJECT

Reports of Municipal Housing Committees
under Collection of Data Regulations

M R 2 Jan 31
19.5.1931

4823 111

App. F. III—2]

General and Revenue Secretariat. File No. 146 of 1929

Serial No.	
1	Letter no: 10234 Dated 3.4.30 from agent, Mysore Rys, forwarding the report of the Joint Enquiry Committee re: the collision on 26.9.29 on the Tramways & enquiring whether copies of certain statements made before the Committee by Rly Offrs can be given to the Relieving Stn Master who is an accused in Spl Sessions Case at Chitradurga for offences under sec 304A & 338 IPC — 1 There was a collision between the 59 Up & the Fuel Train on Tramways on 29-9-29.) A Joint Enquiry Committee was appointed, presumably under the rules framed under sec 67 of the Rly Regn 2 Mr M-S. Ramaswami, station Master, Hesahalli, is said to have been placed for trial in the Spl. Sessions Court, Chitradurga under secs 304A & 338 IPC & 111 of the Rly Regn. He has prayed for copies of certain statements made by certain Rly Offrs before the Enquiry Committee (& the findings of that committee) & the Agent to avail legal opinion as to whether the accused is entitled to the copies desired for — 3 Under sec 74 of the Evidence Act, documents forming the acts or records of the acts of Official bodies and tribunals are public documents. The Joint Enquiry

NOTE—Contn. sheet.

WD 066—GPB—80,000—26-7-29

Serial No.

Committee appointed in pursuance of statutory rules is an official body or tribunal - The deposition of a witness is part of the record of the acts of such official tribunal and hence the document forming the record is a public document - (see Field on Evidence page 458).

4 But under sec 76, it is only if the person claiming a copy has a right to inspect that he can be given the copy of the public document - Under what circumstances a person has a right to inspect a public document is nowhere expressly laid down by any statute. It is decided in 6 Mys: L.J page 543 at 546 that " if a person is personally interested in a public document and if he is not debarred from having access to the information by any express statutory provision, he has a right to inspect the document ".

5 In this case, as per Mys. L.J., there can be no doubt that the accused is interested in the statements made before the Inquiry Committee, and if therefore the statements are not privileged under secs. 123 or 124 of the Evidence Act, the copies prayed for have to be granted.

Note—Contn. Sheet

WD 066—GPB—80,000—26-7-29

Serial No.

6 The question whether the statements before the Committee were under Secs 123 or 124 is not without difficulty. In 16 C.W.N. page 430, it was held that "Statements made by witnesses in the course of a departmental enquiry into the conduct of Police officers who were subsequently put upon their trial on charges of taking illegal gratification are not privileged under Secs 123, 124 or 125 of the Evidence Act & the accused are entitled to cross examine the witnesses under sec 153 of the Evidence Act on the statements made by them at the departmental enquiry". From the report of this case, it however appears that the statements made at the departmental enquiry were there made not by Police officials but by members of the public. (Vide arguments for the petitioner, ibid page 432). and hence they were not made in "official confidence". In the present case, the statements are those of Rly officials & consequently privilege under sec 124 may be claimed if in the opinion of the Rly. authorities, their disclosure would be detrimental to public interests. In this connection the observations at page 433

Note—Contn. Sheet

WD 066—GPB—80,000—26-7-29

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of 16 C.W.N are pertinent. They are as follows:—

7 "It cannot be said that when witnesses come before a Police officer and make accusations against one of his subordinates, that those communications are made in official confidence so that when the accused is on his trial he cannot ask to know what his accusers say — It seems to us that the public interests would suffer much more by the concealment of these statements than by their disclosure."

8 In Subramaniyan Vs Govt of Mysore (6 Mys. L.J page 543 at 547), Srinivasa Iyer J observes: "I am inclined to view that the grant of a copy (of a statement of a witness made before a magisterial enquiry) will not affect public interests to any material extent, at all events not to the extent of overriding the petitioner's right to make use of that statement for defending themselves in the proceedings instituted against them."

9 Under Sec 124 of the Evidence Act it is however the public officer concerned that has to decide whether public interests would suffer by

Note—Contn. Sheet

WD 066—GPB—80,000—26-7-29

4823 (5)

App. F. III—2]

General and Revenue Secretariat — File No. 146 of 1929.

Serial No.

the disclosure - Hence, the agent may be informed that if in his opinion the "public interests" would not suffer by the disclosure ~~that~~ of the statements made before the Joint Enquiry Committee & the findings &c. he may grant the accused the copies he desires, but not otherwise.

DMP 9.4.30 AM 10/4

10. Please put up in Harmony under reference to in para 3.

11/4

Law 11/4

11 Draft to Agent, Mys: Rys, Subsidy

DMP 11.4.30 AM 11/4

Issued 12/4

2 To The Agent Mys. Rys 5755 of 16.4.30 Enquiring under what provn of law such enquiry can then are applied & if they are under rules requesting to send a copy of such rules

Ans R 17/4

Letter No: 10194 Dated 22nd April 1930. stating that the Jt. Enquiry was applied as per rule 12 (Appx 19) of the Rules issued under Sec 67 of the Rly Regn

Note—Contn. Sheet

WD 066—GPB—80,000—26-7-29

5161 (6)

App. F. [illegible]—2]

General and Revenue Secretariat | Law File No. 116 of 1929

Serial No.

A

I have or deny a copy of the Rules for reference & return —

Submitted. Reference para 10 supra —

DPP
25/4/30
25/4

The Committee's report of its findings to the Agent may be regarded as a communication made to him in official confidence ~~The Committee's~~ and it is open to him to refuse to hand a copy of it to the accused if he considers that the public interests would suffer by the disclosure. The statements made before the Committee by the members of the Railway staff whose responsibility for the collision was the subject of investigation by the Committee cannot be said to be communications made in official confidence. They are public documents in which the accused is interested & to which he cannot reasonably be denied access. His own statement before the Committee is now that it is not improbable that it may be made use of by the prosecution to prove his negligence & if that is done this right to get copies of the statements of the other members of the staff concerned in the collision cannot be resisted at all. If agreed, the Agent will be informed that copies of the statements applied for may be granted & as regards the findings of the Committee he will apply as at A above.

WD

Note—Contd. Sheet

Law

Copy of papers 25/4
may be given
accordingly. P. May
9/5/30

578 (2)

App. F. III—2]

General and Revenue Secretariat

File No. of 192

Serial No.	
	Draft put up Mp 17/5 — Issued 9/6/30
4.	To The Agent, Mysore Railways P 6361. dated 15/5/30 Stating that the Committee's report is privileged but not the statements made before it —

B Mp 16/5

Note—Contn. Sheet

WD 066—GPB—80,000—26-7-29

MRM A 248—2000—10-2-30

482

All communications should be addressed to the Agent, Mysore Railways, Mysore by TITLE, not by NAME

MYSORE RAILWAYS

AGENT'S OFFICE,

Mysore, 3rd April 1930.

No. 10234 /Fl.

Enc. 1 copy of letter
1 copy of proceedings in 41 pages

From

THE AGENT,

Mysore Railways,

MYSORE.

To

The Secretary to the Government of Mysore,

Law Department, B a n g a l o r e.

Sir,

Collision of 59 Up with Fuel train at mile 20/22 on 26-9-1929 on Tramways and Proceedings of the Joint Enquiry Committee held on 29th S e p t e m b e r 1929.

I have the honor to forward herewith a copy of letter No.TA.845/29 dated 22nd March 1930 received from the Traffic Manager, Mysore Railways, enquiring whether copies of statements made by the marginally noted officials before the Joint Enquiry Committee and finding of the Committee may be given to Mr. M.S.Ramaswamy, Relieving Station Master, I request you to furnish your opinion as to whether copies of the statements and finding of the Committee may be given as asked for.

Station Master,	Tadasa
-do-	Lakkavalli
Guard of 59 Up	of 26-9-1929
Driver	-do-

I also enclose for your perusal a complete copy of the proceedings of the Committee.

The two guards and the Station Master, Hosahalli, have been placed for trial in the Special Magistrate's Court, Chickmagalur under sections 304-A and 338-I.P.C. and 111 of the Mysore Railway Regulation.

P.T.O.

The matter may be treated as urgent and a reply sent as early as possible.

I have the honor to be, Sir.
Your most obedient servant,

Ag. A g e n t.

P.M.C.

3-4-30.

WRM A 244—2000—7-2-30

All communications should be addressed to the Agent, Mysore Railways, Mysore by TITLE, not by NAME

MYSORE RAILWAYS

AGENT'S OFFICE,

Mysore, 29th March 1930.

No. /Fl.

Enc.

Letter No.T.A.245/29 dated 22nd March 1930 from the Traffic Manager, Mysore Railways, Mysore, to the Agent, Mysore Railways, Mysore.

Your No.9114-16 of 1st March 1930 re: Collision of No.59 Up of 26-9-1929.

I beg to inform you that Mr.M.S.Ramaswamy, Relg. Assistant Station Master, who is now under suspension requires copies of statements given before the Joint enquiry committee by the Station Masters, Tadasa and Lakkavalli and Guard and driver of No.59 along with the findings of the Committee to put up his defence in the Court of the Assistant Commissioner Magistrate, of Tarikere.

Kindly advise if his request may be complied with.

/copy/

29/3/30.

Collision of 59 up with Fuel Train at mile 20/32 Tarikere-Narasimharajapur Tramway on 26th September'30.

The following Committee of Officers constituted the Committee of Enquiry :-

PRESENT :-

K.Srinivasaiengar, Esq., M.I.E.(Ind)., A.M.I.Mech.E., Engineer-in-Chief, Mysore Railways, Mysore. -(PRESIDENT)

Mr. H.L.Acre, Loco & Carr: Superintendent, (MEMBER).

Mr. L.K.Rajagopala Iyer, Assistant Traffic Manager, (MEMBER).

The following officers were also present :-

Messrs. C.Ramachandra Rao, B.A., B.L., Sub Division Officer & First Class Magistrate, Tarikere.

S.Sivasiah, Police Inspector Tarikere.

R.S.Rangachar, B.A., L.L.B., Asst: District Forest Officer, Bhadravati.

G.K.Anniah, Superintendent-in-Charge of Tramways, Bhadravati.

T.Nagappa, B.A., Asst: Traffic Superintendent, Shimoga.

K.Ramaiya, B.A., C.E., Executive Engineer, Mysore Railways, Hassan.

Collision of 59 Up with Fuel Train at mile 20/22 Tarikere-Narasimharajapur Tramway on 26th September '29.

A short history of the accident that occured on T.N.Tramway on 26-9-1929.

On 26th September 1929 No.59 Up Mysore Railway Timber train which had left Tadasa for Hoshalli at 15-30 hours according to the books at Tadasa went as far as mile 19½. On account of heavy bank there and - also due to heavy rain the driver could not pull up the bank. He and the Guard both of them decided to back the train to Tadasa which was 2½ miles away. When they were backing and when they came near mile 20/20 they collided with the Iron Works Fuel Train that had started from Tadasa for loading fuel between Tadasa and Hoshalli. The Iron Works Train was pushing the train and the composition of that train was Engine No.5, 6 T.T.'s and one P.W.102. The composition of the Timber Special of Mysore Railway was Engine No.C. 47, 2 T.T.S's, one O.B.B., and 2 B.P.T.L's and lastly one B.C.B.

As soon as the collision happened, the B.C.B. of the Mysore Railway lifted P.W.102 of Iron Works - Tramway bodily on to the top of T.T.57 in which a number of coolies were sitting. The P.W.102 was completely overturned on the T.T. and consequently pinned inside one male, one female and a child of 9 months old and killed them outright and one more man who was apparently riding at the end of T.T. was caught near both the thighs between P.W. and T.T. This man did not die immediately but died a little time after he was partially released

(contd)

released at about 2 o'clock in the night. The Guards of both trains apparently jumped off and nothing happened to them. One other male and and a boy of six years and a woman of about 40 years were also injured. They were riding on the T.I. Out of these, the boy and the woman died and the man is still under treatment. The news of the accident was promptly communicated to Bhadravati and also Narasimharajapur and medical aid was received at about 10 p.m. from Bhadravati. In the mean-time the P.W.Inspector who was the first to come on the spot took a wounded woman on his trolly to Agasanahadlu. This woman was treated by the Narasimharajapur Doctor as soon as he could get the necessary equipment. The P.W. Inspector with his gang of coolies rendered all help that was possible to relieve the weight of the wagon and did what he could before the relief train came on the spot. A relief train with brake down staff and Loco Foreman, two doctors from Tarikere and Lakkavalli and the Police Inspector of Tarikere accompanied the brake van down special which arrived at the accident spot at 4 A.m. on the 27th. Another relief train also came from Bhadravati side and this arrived at the spot at about 1 p.m. on the 27th. The whole section was cleared for Traffic at 3-30 p.m. on the 27th.

Collision of 59 Up with Fuel Train at mile 20/22 Tarikere-Narasimharajapura Tramway on 26th September 1929.

A list of witnesses in the order examined :-

1. [illegible]Siva Rao, Station Master, Tadasa.
2. [illegible]Ramaswami, Relieving Assistant Station Master, Hoshalli.
3. Syed Mustapha, Forester.
4. Syed Hussain, Driver, Iron Works Tramways.
5. Chowri, Fireman, Iron Works Tramways.
6. G.Krishnamurthi Rao, Station Master, Agasanahallu.
7. Hanuma, Leading Labourer.
8. Pithambaram, Driver, Mysore Railways.
9. Chota Lab, Fireman, Mysore Railways.
10. Chowda, Labourer.
11. [illegible]m a m, Painterman.
12. V.Anniah, Guard, [illegible]Tramways.
13. J.Appaji Rao, Guard of Iron Works/Tramway Fuel Train No.34. Train No.59 up.
14. Kandaswamy, Driver, Iron Works Tramway Fuel Train No.34.
15. [illegible]Nanjundiah, Station Master, Lakkavalli.
16. M.Ananda Rao. P.W.Inspector, Mysore Railways.

Collision of 59 Up with Fuel Train at mile 30/22 Tarikere-Narasimharajapur Tramway on 26th September 1929.

Name - L. S i v a R a o.

Age - 36.

Caste - Brahmin.

Occupation - Station Master, Tadasa.

P a y - Rs.42-8-0

Period of Service - 9 years of service.

On that date, 26-9-29, as usual I got line clear for 29 mixed from Station Master, Hoshalli, and I despatched the train. I got the arrival report of 29 Up from Station Master, Hoshalli and I have recorded the same in the line clear book. When 59 up turned up, I called for line clear from Station Master, Hoshalli and obtained line clear and the train started. Thenthe the out report was signalled. Soon after the receipt of the in report for 59 up, the line clear was asked for fuel train and the reply was received for the line clear asked. Then I intimated of the driver of the Fuel Train to take out the Iron Works crane which was on the third line. I had some shunting to be performed by him. Ten minutes was spent in shunting, then I started the fuel train and I called the Station Master, Hoshalli to receive out-report for the fuel train. No reply was received from him for the out report. I called him for a a few minutes but there was no answer. About 10 or 15 minutes after rolling the out report, some

(contd.)

9

some tresspassers came and told me that there is some accident to fuel train. Soon after this information was received I ran to the P.W.Inspector and informed the matter. I informed by ~~telegram~~ telegraph to Station Master, Agasanahadlu to inform the Station Master, Narasimharajapur ~~that the doctor by bus or other possible means~~ that such and such an accident has occured and to send the doctor by bus or other possible means.

Assistant Traffic Manager :-

Q - How ~~did~~ do you ask in practice for line clear?

A - I enter the enquiry in full in the book and then I signal~~x~~ it.

Q - How did Hoshalli give you line clear?

A - The same way in full.

Q - He did not merely give private number.~~in~~ (P.N.)

A - No.

Q - Did Hoshalli acknowledge your report ~~immediately you signalled it?~~ enh- in full

A - Yes.

X Q - What time did the 59 Up clear section?

A - According to the book where the actual time is entered (16-8).

Q - Then you immediately applied for line clear for fuel train?

A - Yes.

Q - There has been no ~~in~~ delay on the part of Hoshalli to give you line clear for 93 Up fuel train?

A - No delay.

Q - Did he give you line clear in full?

A - Yes.

Q - Was there any trouble regarding private number that is, did he give you one number and change it later?

A - ~~No~~. No

Q - Who was present in your office when you asked for line clear for 93 Up?

(contd.)

X Q. Did he ack. receive the out report immediately you signalled it.

A - Yes

60

Q when did you give out-report for 93 Up.

A — for 93 Up?
Q — name

A — According to the line clear book (16-25).

Q — Was this acknowledged by Station Master, Koshalli?

A — There was no answer.

Q — When ~~he~~ did he reply you next?

A — 20-23.

Q — Who asked him again at 20-23 hours?

A — I was trying to get Koshalli from the time. I gave out-report for 93 Up but I could ~~xx~~ get him only at 20-23.

Q — When did you send the all concerned message?

A — 18-10. I sent the accident message at 18-10 hrs.

via Agasanahadlu and Bhadravati by phone and wired

the same message through Koshalli, i.e., the message coded to. As regards the message coded RK I/ donot know anything.

Q — Why was then so much delay in sending the accident message via Koshalli?

A — Because no reply - The man answered me at 20-23 and I gave the accident message. The Guard of the 93 up train gave me memo regarding accident at 18-

Q — When you found you could not get Koshalli to acknowledge out-report and also later on, did you tell Agasanahadlu that Koshalli was ~~xxx~~ unobtainable?

A — There was no necessity to specially mention at the accident message ~~itself~~ itself says that as there is no answer from Koshalli the message is sent through Agasanahadlu.

Read over and admitted correct.

Sd/- S. Sivarao,

29/9/29.

Collision of 59 Up with Fuel Train at mile 20/22 Tarikere-Narasimharajapura Tramway on 26th September 1929.

Name - M.L.Ramaswamy.

Age - 30

Caste - Brahmin.

Occupation - Relieving Assistant Station Master, Honhalli.

Pay - Rs.35/-

Period of service - 6 months

Before I joined the Mysore Service I was in M. & S.M. I was employed in Madras District as as Relieving Asst: Station Master. I was in M.S.M. for one year and six months. Before this I was serving overseas. I was in Mesopotamia Railways for four years as Assistant Station Master. I came back from Persia & took up job immediately in M.S.M.

On the day of the accident at 15-2[illegible] while - giving line clear for 59 Up Goods I signalled F.M.3 which was wrong and before its acknowledgement by S.M.Tadasa I gave him the correct number F.M.7 which was acknowledged by him. I received the out-report for 59 Up Goods at ~~X~~ 15-31. At 15-50 I informed Station Master, Tadasa that there was practically no trace of the train. He told me that there must have been something wrong and that he would let me know immediately. Again at 16-~~2~~5 I asked him he said that he received the in report and line clear from me for 95 Up fuel train which had collided with 59 Up Goods. ~~X~~ Immediately I asked ~~him~~ both my porters to run up towards Tadasa and find out the situation. On their way at ~~xx~~ mile 18, they met a man who had come walking from the scene of the accident. ~~At the~~

(contd.)

At 18-20 having had no answer from Tadasa I myself started with Transport Forester Syed Mustapha of 34 Fuel Train ✗ which was waiting at my station from 18-30. I met at mile 17¼ or 17 those three men (2 porters and one other man) from ~~xki~~ whom I understood the true situation. The man who came from the scene of accident told me that one wagon had capsized and only one was slightly injured slightly. We came to the scene of accident and finding the situation very serious, I returned back to Hoshalli at 19-55 and enquired from Tadasa if Medical relief has been called for. As knowing from that he has done so and ~~xxrx~~ as there was a Sub Asst: Surgeon at Lakkavalli I arranged to get him to the spot by requisitioning the services of the light engine of No.34 Fuel Train (vide my message of that date). That message addressed to Traffic Manager, Mysore, Asst: Traffic Superintendent, Shimoga and D.E.E. Mysore/Iron Works, Bhadravati and driver of 34 Down Fuel Train.

Q - How do you give the line clear reply ?

A - By writing in the book and signalling afterwards.

Q - If that is so, how can you make a mistake in signalling the figure 3 instead of figure 7 ?

A - In this case I wrote the line clear reply after it was signalled. This is not my usual practice.

Q - After what interval did you find out your mistake ?

A - Immediately after when I began to write line clear. I informed him.

Q - You say you got the out-report for 33 Up at 18-32. The running time from Tadasa to Hoshalli is 38 minutes. Therefore the train would normally arrive at Hoshalli at 18-10. What made you to think that the train should have arrived at yours at 18-40 hours and make you anxious about it and enquire of Tadasa ?

A - The driver of 34 Fuel train asked me for permission to go and load at mile 16½ at 18-40. I told him there was goods on the section. Again after ten minutes he told me he heard the American engine whistling. This made me anxious and so I put the quorry to Tadasa.

Tadasa.

Q - When as you say at 16-5 hours Tadasa told you that he had received from you the in report for 59 Up and also line clear for 93 Up. Did you not realise that this could not be true as 59 Up had not arrived at yours and what steps did you take on getting this information from Tadasa?

A - Immediately on receipt of this information from Tadasa I realised that he had started No.93 Up immediately after goods train and after the accident occured he began to say that he had line clear from me on the strength of his having known my next private number previously.

Q - What made you to leave the station in addition to sending the porters on the line?

A - After 16-5 learning from Tadasa that collision had taken place I was calling him continuously for 15 minutes and having had no answer I left the station knowing that the porters will not be so quick as a man in my position do.

Q - You came to the accident spot. Whom did you see and spoke to ?

A - I saw the Fireman of Mysore Railway engine who informed me that one dead body was taken to Tadasa and some more seriously injured. I also saw the injured. There was no doctor at that time. There was also no guard or driver of the Iron Works - Iramwa,s. I put a question to the Fireman of the Mysore Railway engine if the engine was in working order. When he said 'yes'. I enquired of the driver. He said that he has gone to Tadasa - Station. I also talked to Fireman of Iron Works. They also said that driver was gone to Tadasa Station. I asked the driver of 34 down to go to ~~Tadasa~~ Lakkavalli and fetch the doctor. He said he had no fuel and that he had to go to Hangenhalli to pick up fuel. Accordingly I made out a message which is the same as that sent to Traffic Manager, S.I.S. Iron Works, Asst: Traffic Superintendent, Shimoga and Driver of 34 Dn. message coded 7 from Honhalli.

Q - What time did 34 leave for Lakkavalli ?

A - 16-5 hours.

Q - According to station Master, Tadasa you are stated to be not in the station from 16-20 to 20-25. What d have you got to say to this?

A - I left my station at 16-20 and returned from the scene of accident at 18-55. Before leaving the station I had given through connection to Lakkavalli in order Tadasa to have means of communication to call for any relief that may be necessary and immediately on my arrival at Honhalli I asked Lakkavalli if he had received an all concerned message when he said yes. I asked him to give me a copy of it. Finding that Tadasa had not asked for ~~snake~~ down special I called Station

Head (contd.)

Station Master, Tadasa, at 19 hours to issue a subsequent message for brake down train which he never did. The fuel train was at Hoshalli from 15-32 to 19 hours. I did not tell Lakkavalli before I converted it to through wire.

Further evidence of Station Master, Hoshalli M.S.Ramaswamy, at Arikere on 30th September 1980.

Q - You say that you got anxious at 15-50 when the Driver of 34 Fuel Train informed you that he heard the whistle of the American Engine. What anxiety should there be if you hear an Engine whistling ?

A - Because the Driver said that it was a long whistle and it denoted danger. I had to infer that the fuel train might have been started after a short interval.

Q - What made you think of the feul train being started also from Tadasa before 59 Up had cleared section and think of the Iron Works train in the section ?

A - The 59 Up that day had left Tadasa about 15 minutes before time booking right time, i.e., 15-30 from Tadasa. In addition it had come to my knowledge that fuel traine were being allowed after a short interval without the section being blocked.

Q - If so, how did Station Master Tadasa have your P.N. for the next train?

A - They do not block it at the moment, but immediately the first train that is on section clears they do so.

Q - When you give your P.N. in advance ?

A - I had not given the P.N. in advance and it was not being even asked in advance and since the wrong signalling had taken place I had informed him that the '3' would be the number for the next train.

Q - When you informed Station Master Tadasa that P.N. for next train would be '3' ?

A - Yes.

Q - From your experience how far you can hear the whistle of an American Engine ?

A - I could hear whistle of American Engine for three miles.

Q - From your statements it is seen that at 16-4 the following things happened :-

(1) Learnt from Tadasa Station Master that he had received the M report for 59 Up and

(contd.)

and

(2) Line clear for 93 Up fuel train

(3) You learnt from Tadasa that a collision had taken place

How did you reconcile the above statements?

A - The three items referred to are the facts of one complete item of information which was received by me at 16-5 from Station Master Tadasa and evidently the three different items hem should have been events prior to 16-5.

In my opinion the accident should have occured before 16-5 The accident should have taken place at about 15-50 which I can prove to your satisfaction. As stated before my porters were sent on line at 16-5 who met a man at 18th mile that is one and a quarter mile from my station. To walk this distance the porters should have taken at least 20 minutes. The time of my leaving station was 16-20 and I happened to meet the three people at 17½ mile at about 16-35 or 16-40. From this it is clear that the man from the scene of accident had walked the distance of 3½ miles which should have taken him at least one hour which goes to show that the accident should have occured at about 15-50. This correspondence with the time at which the engine whistle was heard by the near people at my station.

Q - Then you think that the train receiving and despatching times etc are all wrong that day.

A - Yes sir.

Q - Yesterday we asked you for departure and arrival timings and you gave certain figures. You tell us to-day that 93 Up actually started 10 minutes earlier than the booked time is wrong. Why did you not say this yesterday?

A- Because I had not made a record of this in my book. I could not make a statement of this as I thought it would be difficult to prove it.

Q - How could you prove it to-day?

A - From the circumstances explained above in connection with the question on time of accident.

Q - At 16-5 you learnt from Station Master Tadasa that accident had happened and yet you left station at 16-20. Why did you leave station especially when accident message would be coming details for transmission ?

A - I have already stated that Tadasa did not answer from 16-5 to 16-20 and as he was aware of my P.W. I became anxious thinking that he would shove the blame on me for accident. Before I left the station I gave him through connection to enable him to pass message onwards.

Q - You say you gave through connection when you left

(contd.)

left station at 16-20 and removed it on return at 18-55. Then Station Master Lakkavalli should have received message from Tadasa.

A - Yes.

Q - Now the Station Master Lakkavalli says that he got no messages from Hoshalli side from 16-30 to 18-52. Why if you had connected?

A - I cannot say how it had happened: but I am certain of having connected the line. This was being done every day at the time of leaving Hoshalli every evening. No station Master stops at Hoshalli for the night. We do not come by the last train but walk it out with porters.

Sd/- M. S. Ramaswamy,

R. A. S. M.,

30/9/43.

Collision of 59 Up with Fuel Train at mile 20/22 Tarikere-Narasimharajapur Tramway on 26th September 1929.

Name - Syed Muctapha.

Age - 35

Caste - Mohammadan.

Occupation - Forester.

Pay - Rs.1/-

Period of service - 18 years.

I came to Honhalli station on 26th with the fuel train from Lakkavalli at 18-30 hours. I wanted to load fuel in the station yard at Honhalli but the station-master told me that as a goods train was expected from Tadasa, he has to wait till it departs. Consequently I waited there. About 30 minutes afterwards I heard a long whistle and I enquired of my driver what it is for. He said it may be an accident or trailment. I therefore went walking towards Tadasa with the station-master about 15 or 20 minutes afterwards. Before we went the station-master had sent the porters to find out what had happened. We met the porters at mile 18 talking to somebody. We were informed that the accident was not serious but all the same as the man said it was only a short distance we decided to go and see the accident. We did not find the Guard and drivers of both the trains. We found about ten loading coolies there. I asked the Fireman the cause but he gave me no answer. I did not hear the Station Master enquiring of the Fireman. We came back both together at about 19-30 hours. The Station master gave a memo to the driver to go back and ~~brikki~~ bring the Doctor. I do not know the name of those who were injured and were lingering. Read as stated and correct

Sd Syed Muctapha
Trustee 29/9/29

Collision of 59 Up with Fuel Train at mile 20/22 Tarikere-Narasimharajapur Tramway on 26th September 1929.

Name - Syed Hussain.

Age - 36.

Caste - Mohammadan.

Occupation - Driver, Iron Works Tramways.

Pay - Rs.39/-

Period of service - 6 years.

I was working prior to Iron Works service at M.S.M. Rajamahendry for 15 years. There my wife died and so I came here. I was drawing Rs.45/- pay.on On 26th I left Agasanahadlu 14-30, Tadasa arrival 14-38. Goods train was on the platform line. About ten or fifteen minutes after my arrival the goods train was started about (14-50). I got line clear to go to loading spot at 15-50. I started train at 15-55 when the line clear was handed over to me by the guard. The guard went to brake van and gave signal to me and I started slowly and whistling. I was going at a a speed of 4 or 5 miles. The passport issuing guard was also picked up very near the accident spot. As soon as I entered the curve and as I was proceeding at 4 or 5 miles an hour guard suddenly showed the danger signal and by the time I closed the regulator the other train bumped on mine The accident happened at 16-00 as per the watch of the train guard. Afterwards the P.W.Inspector turned up and took me with/the engine and 2 trucks to get sleepers from Tadasa. At the collision spot when I was moving up and down within about half an hour after the accident I saw the Hosahalli station Master going round the place. I know well the Station Master who was for some time at Hangenhalli. I was trying to help the coolies when he came and went

(contd.)

went without speaking to me. I worked No.5 American engine. As soon as I saw the danger signal I ~~xx~~ whistled thrice for particulars but no long whistle after the accident. I came with P.W.Inspector for sleepers at about 6 p.m. The driver of Mysore Railways was also with me. The two guards had come away to the station.

--------- Sd Syed Hussain

Collision of 59 Up with fuel train at mile 20/22 Tarikere Narasimharajapura Tramway on 26th September 1929.

N a m e. Chowri.

A g e. 18 years.

Caste. Christian.

P a y. Rs.18/-.

Occupation. Fireman, Iron Works Tramways.

Period of service. 9 years.

I was a cleaner in M.S.M. for three years prior to joining Iron Works Service. When we were half way to the accident spot on 26th the Forest Guard was picked up. I was fuelling when I heard thrice whistles and due to bump fuel also fell down on me. I got down and went to the accident spot. The second fireman was in the engine alone. The driver ran to the spot first and I also went there behind him. I do not know the exact time of accident. After some rescue, as I was returning to engine the Honahalli Station Master and Forester came there and questioned coolies. He also saw me and asked me why we were coming so fast. I did not reply and so he went away. He asked me which train was moving faster and I could not reply. Then the Station Master went and talked to Woddars who became angry with him and so he went away. He questioned the woddars how many bodies were underneath, but they did not reply. The woddars thought that the Station Master came from the Goods train and so became angry with him.

Q. Did the driver whistle of the accident?

A. He had only whistled thrice for brakes previously.

Q. When did the Station Master come there?

A. About an hour after: after the injured woman was removed to Tadasa.

Q. Was the Guard in the train?

A. I do not know.

Q. Was the guard showing signal?

A. The Guard showed signal when starting. I was on the otherside and could not see more.

Sd/- Chowri.

Collision of 59 Up with fuel train at mile 20/22 Tarikere Narasimharajapura Tramway on 26th September 1929.

Name. G.Krishnamurthy Rao.

Age. 38.

Caste. Brahmin.

Occupation. Station Master, Agasanhadlu.

P a y. Rs.42-8-0.

Period of service. About 7 years.

Q. When did the fuel train leave yours on 26th?

A. About 2-30 P.M.

Q. Did you get message from Station Master, Tadasa about the accident?

A. Y e s.

Q. What time.

A. About 5 P.M.

Q. Did he tell you in the message that Hosahalli was not available?

A. Yes. He had stated in the message that Hosahalli could not be had.

Q. Besides this did he tell you ~~anything about~~ unofficially about Hosahalli not being available?

A. No.

Q. Did he tell you anything about accident etc?

A. No Sir, I was unwell.

Q. Did Station Master, Tadasa, tell you about 20 hours that Hosahalli was available and that message was sent?

A. No. In fact he did not say anything about this.

Sd/- G. Krishnamurthy Rao.

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Collision of 59 Up Fuel train at mile 30/32 Tarikere Narasimharajapura Tramway on 26-9-1929.

Name. Hanuma.

Age. About 40.

Caste. Woddar.

Occupation. Loading labourer.

P a y. Contract labour.

Period of service. -

On the accident day I lost my wife, my child of nine months and 9 years old. The fuel train went from here. Myself and some others were sitting on truck. From the other train fast no whistle was heard. We saw many jumped out. I also jumped out.

Q. When you saw how far was the other train?

A. Very close.

Q. Was your train going fast?

A. Both were travelling fast.

Q. What was the time of accident?

A. At about 5 P.M.

Q. After the accident who helped you?

A. The Iron Works driver came but not the Mysore Railway driver.

Q. Did Forester Mustapha come there? Or Hosahalli Station Master?

A. No - neither.

Q. Was there any whistle?

A. There was no whistle. I would have heard if any whistle was given.

Read and recorded as he could not sign.

Collision of 59 Up with fuel train at mile 20/22 Turikere Maralmharajapura Tramway on 26th September 1929.

Name. Pithambaram.

Age. 30.

Caste. Mudaliar.

Occupation. Driver.

Pay. Rs.75/-

Period of service. 14 years.

I worked 59 Up on 26th. I started at 3-30 from Tadasa. I went to 19¾ bank. Where due to rain and heavy load I could not pull. I tried twice and when I failed Guard came and asked me why. I stopped. He asked me if I could part and go I told him I had neither water nor coal and suggesting backing train. He told me that this backing was done on other occasions also. I gave him a memo and got his endorsement. The Guard was on foot board and showing signal. At the sharp curve at 20/20 I felt a bump and when I looked out I saw the O.B. lifted up. I was coming down at 5 miles per hour. I had applied brake on all wagons. The gang coolies were all working there. I do not know the time of accident. 16-30 was the time when I wrote my memo and that time alone I puton the memo to the Station Master. This memo was taken to the Station Master by first fireman. I was attending to rescue work. The Iron Works Driver or Guard was not seen by me there.

Q. Did the woddars threaten you?
A. They threatened to assault both myself and Guard, but I went to rescue work on the request of the coolies themselves before they threatened.
Q. When is it that you say that the Driver of Iron Works was not there?
A. After sending the memo and attending to the work I went for rescue. I saw the two ~~firemen~~ firemen but not the driver
Q. Did the Hossahalli Station Master come there at the time?
A. I was there till about 6 P.M., but did not see the Station Master. As the woddars were threatening I instructed the Fireman to drop fire and went away. The time when I left engine was 6-30 P.M. The fireman also followed me.
Q. Did the Iron Works engine whistle for brake or for anything?
A. No.
Q. Did anybody give long whistle after the accident?
A. After the accident both gave a long whistle. I do not know who whistled.
Q. You say you wrote memo at 16-30. What time after the accident was the memo written?
A. The memo was written about 5 or 6 minutes after accident.
Q. Were you there when the P.W. Inspector came?
A. Idid not see the time, but it must be about 5-30 P.M.

Further evidence of Pithambaram, Driver of 59 Up Goods

I had only one fireman. This fireman only took the accident message to Station Master, Tadasa. I instructed my fireman to take the message. I went to protect my train and about 10 or 15 minutes after I returned, I saw my fireman. After the accident I did not try to pull the train ahead and relieve the wagons. The guard never told me that he would be walking ahead while I was backing. I only told him to be careful about the brake. He said that as he had no Under Guard he would travel on footboard. The suggestion about the Guard travelling on the brake came from me. It is also true I told him that I would need the brake power.

Q. You had pinned down some wagon brakes? What was the necessity of your asking the Guard for his help in brakes

A. When pushing up a bank there would be trouble if the Guard had applied brake. At the foot of one bank alone, I released the wagon brake after that there is no necessity to pin the wagon trucks or release them. I could not do the same for the Guard's brake as it was too far from my engine and I had only one Fireman. When I suggested to the guard to ride in the B.V. for brake, He did not offer or mention of walking in front of the backing train.

Sd/ Pithambaram.

Collision of 59 Up with Fuel train at mile 20/22 Tarikere Narasimharajapura Tramway on 26th September 1929.

Name. Imam.

Age. I do not know.

Caste. Mohammadan.

Occupation. Pointsman, Mysore Railways.

P a y. Rs.13-8-0.

Period of service. 4 years.

I have worked at Renganhalli, Lakkavalli etc.

On the 26th the Station Master told me that Goods train was out and asked me to go and see why it had not arrived. It was then 4-15 P.M. Myself and another went up to 18th mile. We met a man coming towards us who asked me if Bus had gone. On our questioning him he told us the train had met with accident. I returned and told the Station Master whom I met about a furlong from station that the train had fallen down. The other man did not tell us anything about the enquiries. The Station Master too did not ask him about it. The Station Master proceeded. The Fuel train was waiting there from 3-30 P.M. The Station Master returned at 7 P.M. It was dark when he returned. Before we were sent the fuel train whistle was heard and the woddars were asking whether the fuel train was at the loading spot. It was on this that I was sent by the Station Master.

Sd./- Imam.

Collision of 59 Up with Fuel train at mile 20/22 Tarikere Narasimharajapura Tramway on 26th September 1929.

Name. Chota Sab.

Age. 27.

Caste. Mohamadan.

Occupation. Fireman, Mysore Railways.

Pay. Rs.24/-

Period of service. 8 years.

On 26th there was collision. The Driver sent a message. The woddars were threatening. So the Driver instructed me to drop fire and went away. I do not know the speed of the train. The Railway Driver whistled thrice for brakes and the long whistle after the accident. I never went to the accident spot. We returned to Tadasa at about 6-30 P.M. The Hosahalli Station Master did not come and speak to me. I was in the Engine alone.

Sd/- Chota Sab.

Collision of 59 Up with Fuel train at mile 20/22 Tarikere Narasimharajapura Tramway on 26th September 1929.

N a m e. Chowda.

A g e. --

Caste. Woddar.

Occupation. Labourer.

P a y. --

Period of service. --

On 26th both trains were moving fast. People shouted. Train was approaching on the other direction. Many jumped out. My wife who was in the other truck was injured. She was removed to Agasanhadlu and I went away to Agasanhadlu. There was no whistling by either engine. Both trains were travelling at high speed. The accident at time was about 5 P.M.

Q. After the accident who rendered help?

A. The P.W. Inspector came and I returned with my wife.

Read and recorded.

Collision of 59 Up with Fuel train at mile 20/22 Tarikere Narasimharajapura Tramway on 26th September 1929.

Name. V. Anniah.

Age. 37.

Caste. Naidu.

Occupation. Guard, Mysore Railways.

P a y. Rs.35/-.

Period of service. 11 years.

On the 26th instant my train arrived from Hebbe to Tadasa at 15-8. I left Tadasa at 15-30 to Hosahalli. We went as far as 19¾ mile. The engine was slipping here and there at this place, it could not proceed further. So the driver gave me a memo to back the train. The time then was 16-10. We began to back the train at 16-10. When we came to 20/20-21 I sighted the B.V. of the fuel train at close distance. The collision then occurred. I do not know if I had jumped off the B.V. or I was thrown out. I had one hand on the brake and another with the green flag. I never showed the Red flag as the train came suddenly. The brake was not fully on but only slightly. I do not know if I had puton full brake afterwards. I never saw my watch which I carried at the time of the collision. I lost my presence of mind. I only looked at the watch when I was writing out my message near the engine. The time taken for writing the message after the accident would be ten minutes. When I wrote the message the time was 16-30. I sent the Fireman with the message to Station Master, Tadasa. I never went with the message. Then I went to the Iron Works Engine. The driver of that train was not on the engine. When I went I did not see the Guard of that train also. I asked the Fireman about the driver and he said he jumped off the engine. Then the Forest Guard told me that if I stopped some time longer the coolies would murder me and asked me to run away which I did towards Tadasa. On my way I met a trolly coming towards the accident spot. There were two P.W.Inspectors in the trolly. I went away before the Driver and Fireman also came. They came long after I did. It must be about 18-30 when they came.

Q. After the collision occurred did you ask the Iron Works Driver or Guard how he happened to be in the section when you were already in the section before.
A. I did not ask them because I could not find them. I did not find either the Guard or the Driver and I did not ask the Fireman.
Q. Did you see the Station Master at Tadasa when you went there and speak to him about the accident?
A. I did not speak to him about the accident. I got frightened and so I got underneath the table.
Q. When did you go to Tadasa Station?
A. I went to the station at 5-15 P.M.
Q. Did you see anybody in the station room?
A. There was Station Master. I saw there some coolies and other Mohamadans at the platform. Afterwards at 6-30 they brought an injured woman in a trolly.
Q. Why did you not walk in front while backing and protect it with hand signals as required by rules?
Q. As the driver told me there was short of brake power that if I leave my brake there will be difficulty to control the train. So I did not go in advance of the backing train.

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Q. Where did the driver told this?
A. The driver told me about this before he started backing the train.
Q. Why did you not divide the train where it stood and take it in twohalves to Hosahalli?
A. I and the driver both discussed this question and we decided not to part the train for the following reasons:—

1. If I parted the train, the buffer of the engine and B.C.T.L. would not suit and we could not recouple when the light engine came back.
2. That we had only a short distance to back to Tadasa and we thought it best to back there instead of parting the train. The driver of the train never took water at Tadasa. He took water only at Save. Usually if water is taken at Save we can come to Lakkavalli.
3. The engine had insufficiency of water.

Q. Even afterwards did you not ask the Station Master at Tadasa how he started the fuel train when the timber train was on the section?
A. Next morning when I asked the Station Master about this, he told me that the Station Master, Hosahalli had given private number and he started the train on line clear.
Q. You have been a guard for so many years and so when Station Master, Tadasa, told you that he had private number from Hosahalli and therefore started the fuel train on line clear, did you not naturally ask him if he had received in report for the timber train before he started the fuel train.
A. When I asked the Station Master if he got the in report for the timber special, he said he had got the in report and so he started the fuel train.
Q. What did you learn from the talk you had with the Station Master, Tadasa, whether he started the train after receiving in report or he started the train with only private number.
A. He told me that he got in report and started the Iron Works train afterwards. But I think he started the train on P.N. only.
Q. Why do you say that?
A. Because the other train came so soon.
Q. What is the time taken from the time you started and that when you met the Fuel train?
A. 30 minutes.
Q. What is the running time between Tadasa and Hosahalli?
A. 38 minutes.
Q. Then why do you say the fuel train came too early?
A. No answer.
Q. Why do you say Station Master started fuel train on P.N. and not after receiving in report for 59 Up?
A. Because Station Master, Hosahalli, told me next day that he gave two Private numbers for 59 Up by mistake and hence I thought Station Master, Tadasa, started one train after another.
Q. Who dictated the memo, who wrote?.
A. Driver and myself. Driver wrote it. proper
Q. Had you memo form and did you write in ~~book~~ form?
A. Yes. I wrote in memo form only.

Sd/- V. Amin.

Collision of 59 Up with fuel train at mile 20/22 Tarikere Narasimharajapura Tramway on 26th September 1929.

Name.	J.Appaji Rao.
A g e.	48.
Caste.	Christian.
Occupation.	Guard of Iron Works Train No.93 Up.
P a y.	Rs.25/-.
Period of service.	14 years.

I was in M.&.S.M. for five years in Shimoga station as Ticket Collector prior to Iron Works Service. I served in the Coffee Estate as a writer for a time and then took up Iron Works service. We left Agasanhadlu as usual at 14-20 and reached Tadasa at 14-38. We were received on second line. We waited there till 16-25 for goods to cross and clear section. At 16-15 the Station Master handed over line clear ticket and asked me to perform shunting. This took ten minutes. At 16-25 we left station. I gave line clear to ver and started after signal. While we were going at 2 as we were going B.V. foremost, I saw the bogies of good train coming opposite. I exhibited danger whereas my dr was not able to see in the beginning. After two or 3 vel passed he saw my signal, and he gave three whistles. No er the train from opposite bumped over. By the bump I was thrown out of B.V. When I got up I saw the trucks were riding one over the other and about seven people stuck up in the middle.

Q. What time did accident occur?
A. 16-40. When I found all this I looked to my watch and found time 16-40. My watch shows correct Railway time. I went and informed Station Master but did not give memo to him in writing. As I was unable to write due to sprain on arm. I went walking to Tadasa. I do not know the time when I left accident spot. I reahhed Tadasa at 17 hours. I went in advance and the Railway Guard followed me and overtook me and we both went to Tadasa. We did not talk to each other. We wre only thinking about the accident and so did not talk about the cause of accident etc. When we went to Tadasa the P.W. Inspectors were both there. I do not remember to have met anybody in the way. I did not see the memo given to Station Master, Tadasa by the Mysore Railway Guard. He was not looking back to see if woddars were following him. He did not seem frightened. After the accident the woddars were crying but were not in a threatening mood. I did not see the guard under the table in Station office. All the while I was in the Station about half an hour he was standing there with me. The Railway Guard first first gave the accident information to Station Master.

Q. Railway Guard says accident happened at 16-25, but you say 16-40. Did you not notice the discrepancy?
A. I did not look to the timings he said.
Q. How did you know that Annayya gave message.
A. He gave it in my presence. He did not send message with Fireman in advance. Annayya told Station Master, Tadasa,

3.

Tadasa, "I have got an accident message, you take I did not see him handing over message. He did not di anything orally to the Station Master in my presence. formed the Station Master orally all that occurred.

Af-ter the accident, I did not see the driver of Mysore Railway near the spot. I did not see the Mysore R way Guard also there. Soon after, i.e. 5 or 10 minutes a the accident, I started to Tadasa. When the accident happ ed the driver came to the spot. I did not see him jump ou of the engine. I did not see Station Master, Hosahalli before I left from Tadasa. When I returned fireman of my train told me that he had come and gone. I do notknow if any othe came with him. I returned to accident spot about 17-45. It was not yet dark. I came there alone. The P.W.Inspector was making arrangements and after I returned to the spot the trolly etc. came there. I have not noticed the time when P.W. Inspector came. As soon as the driver saw my danger signal he gave three short whistles. He did not give any long whistle. Before the accident I did not apply brake. After driver whistled thrice, I tried to put on brake, but I was bumped out. When I saw the possible collision also I did not put on the brake. My train was travelling at 6 miles per hour. I cannot say what speed the other train was travelling. When my driver saw danger he closed steam and I do not know about the other engine. I did not notice any gangman after collision. There was dead stop. After I went to Tadasa I asked Station Master who told me that he had got P.N. and in report and so gave line clear. Annayya was with me then. I do not know if Station Master, Tadasa tried to get Hosahalli. I do not know signalling. He did not complain about not getting Hosahalli. I do not know through what route accident message was transmitted.

Sd/ J. A Magister

Collision of 59 Up with Fuel train at mile 20/22 Tarikere Narasimharajapura Tramway on 26th September 1929.

Name. Kandaswamy.
A g e. 26.
Caste. Mudaliar.
Occupation. Driver, Iron Works Fuel train.
P a y. Rs.30/-.
Period of service. 7 years.

I worked 34 Fuel train on 26th. I went to Hosahalli at 18-30; stopped there alone till 19-10; I saw the Station Master there. I was received on second line. The Station Master told me that goods train was out from Tadasa. About ½ an hour or 45 minutes after I heard three short whistles. I can hear whistle at Hosahalli even when it whistled at Tadasa. The coolies were worrying the Station Master to atter the train for loading; but Station Master would not allow. The Station Master told me that the coolies told about American engine three whistles and asked me if I heard it. On my answering yes, he went within about 10 minutes to Tadasa side. I did not hear any long whistle beyond the three sharp whistles. The Station Master returned and immediately gave me line clear at 19-10. The Station Master told me that there was collision. He did not say why it happened. I did not ask him also as I was in a hurry to get away. I do not know about the porters going to Tadasa side. I met nobody else coming from that side. I did not see the Forester Mustapha either going or coming back with the Station Master. I saw him only at Lakkavalli when I returned. He should have travelled in the Brake Van of my train as he usually does. The Station Master, Hosahalli did tell me to go to Rangenhalli Rengenhalli; get fuel and return picking up S.A.S. at Lakkavalli. I told the Station Master, Rangenhalli about this. He was at the instrument talking. I expected line clear from Station Master but I did not get it and so did not start. When the Station Master, Hosahalli left the spot there was nobody. I do not know if there was any call on the instrument. I did not see even the Pointsman. Our train coolies and ourselves all were at the station. I noticed the pointsman only when I was going back. The Station Master left the Station open and went away.

Sd/ Kandaswamy

Collision of 59 Up with Fuel train at mile 20/22 Tarikere Narasimharajapura Tramway on 26th September 1929.

Name. K.Nanjundiah.

Age. 34.

Caste. Brahmin.

Occupation. Station Master, Lakkavalli.

Pay. Rs.42-8-0.

Period of service. 12 years.

I have been in Lakkavalli for 2 months. Before that I was at Nandi. The Station Master, Hosahalli asked for line clear for 59 Up Goods at 15-30 and said that 59 Up left Tadasa at 15-30. No.29 Mixed left this last. I gave him line clear for No.59 Up goods at 15-52 stating your No.3 - 29 Up mixed arrived. Line is clear for No.59 Up goods P.N. No.9. I was waiting till 17 hours. I did not get the ~~xxxx~~ out report for 59 goods. When I went and called him I did not get any answer from Hosahalli till 18-52. I was in the station. At 18-52 I found rolling in the instrument. When I went and answered Tadasa man asked me to take XXR message. I asked his name and he told me S.S.C. and by this I learnt it was Tadasa. It is usual to ask for name. I asked him now because I got no reply from 17 hours. I took one XR and one XXR message. The XR message referred to is from Station Master, Tadasa , coded 'R' to R.H.m TKE, copy SAS, LKV, NJP etc. and all concerned at Bhadravati. The XXR message referred to is from Station Master, Tadasa coded SB to all concerned class A, Clause 11. This message is numbered A.26/2. Before offering the messages Station Master Tadasa asked me "where is M.S.R." I said "I do not know". The time then was about 18-50. When I was signalling these two messages to Rangenhalli about 19 hours, there was a call on the Hosahalli Instrument. I stopped working with Rangenhalli and answered Hosahalli. When I answered he gave his name as "M.S.R." saying that he had been to the accident spot and returned just now. Asking me to say if there be any XR messages for which I said yes and "I am working with Rangenhalli". Thenhe told me after finishing Rangenhalli to signal XXR message to him which I did later. He also said that we had joined the Hosahalli wire to Tadasa and had gone to accident spot. From 16-30 to 18-52 I got no answer nor rolling on the instrument. I called Hosahalli for out report of 59 Up goods from about 16-30 hours. I continued calling every ten minutes.

Q When you got call from Tadasa and you know you had this only connection to Tadasa, why did you not advise everybody about it?

A This is that is in practice with Hosahalli station Masters ever since the opening of that station. When they leave the station and come away to Lakkavalli or go to Tadasa, they connect the wire through and go away. After I came i.e. for the last two months and even before no station Master, Hosahalli ever stayed at the station during night time. They go walking or come mostly on cycles. They do not usually come by the last train as there is usually fuel loading up to 18 hours. They do not come even by the fuel trains. On Monday or Tuesday he was posted to Hosahalli. He (M.S.R.) came to Lakkavalli in the evening, took meals in the hotel and went away early next morning with his servant.

to extract the other leg, the man died. Then the Iron Works Officer and the doctor left the spot with the two injured for treating them. I was there for an hour more and went back. I could not pull either of the trains forward and release as the man dangling was under B.C.B. and I was afraid that this C.B. would come down on him and kill him.

The Station Master, Tadasa, said that somebody brought the first information of the accident. Approximately at 17 hours the news was brought to me by the Station Master, Tadasa. I was not in a mood to enquire as to who brought the news. I cannot exactly say when the accident happened. It may be about half an hour before I got the information. I did not see the Mysore Railway fireman when I left Tadasa for the first time. Guard Annayya too was not in station then. On my way to the accident spot for the first time, I met Annayya, Guard and some coolies. I did not stop to ask Annayya anything. At the accident spot I met the drivers of the fuel train near his engine. I did not see guard of Iron Works train. I did not go towards M.Railway engine side. But the driver of Mysore Railway was not on the spot. Only my gangmen helped me in lifting up etc. Iron Works driver helped me, but no Mysore Railway staff. I did not see the Hosahalli Station Master there nor did I hear of it till recently the enquiry commenced. I never met any Forester. I did not meet Mr.Mustapha. After I returned second time I asked Annayya to go with me to the spot. He said that the woddars would murder him and he would not go back under any circumstances. When I went there, the woddars were all crying and nobody was in any threatening mood. If at the accident spot anybody whistled we could have heard at Tadasa but I heardnothing. I had just come in from Hebbe line with Mr.Subba Rao and was changing clothes when the Station Master came and informed me. I would have heard a long whistle if it had been given by the Iron Works engine even when I was on Hebbe line because I was only one mile from station and the sound of the whistle could be heard for 3 miles and more. When I went to the Station Master's room at Tadasa, to inform him about the seriousness of the accident, the Station Master told me that there was no answer from Hosahalli and so he would despatch the message through Agasanahadlu to Bhadravati by phone. The time is 18-3 when I took back the train with sleepers, the Iron works train guard accompanied me from Tadasa. This is the first time I saw him that day. Station Master, Tadasa, did not tell me that Hakkavalli was not available on the instrument. The Station Master, Tadasa, was in the station all the time. The Station Master Tadasa when he gave me the first information about the ~~accident~~ serious accident said also that some people were seriously injured.

Sd/ M,Ananda Rao,

P.W.Inspector.

Q. The Station Master, Tadasa, tells me that there was no answer on Hosahalli instrument from 16-25 to 20-25. You say you got Station Master, Tadasa's enquiry at 18-50 about the whereabouts of "M.S.R." (Station Master, Hosahalli

A. There was no rolling on the instrument either from Hosahalli or Tadasa up to 18-50 hours. I was in the Station alone all the time and if Station Master, Tadasa had called Hosahalli and there was through connection I should have known it.

Q. The Station Master, Hosahalli says he left station at 16-2 and connected the wires before he left the station. So if Tadasa called, you should have known it?

A. Yes. I was in the station at the time but heard no rolling of the instrument. After the Station Master, Tadasa, finished repeating his XXR message, I did not ask him any details of the accident, neither did I do so of Station Master, Hosahalli after he returned.

On the day of the accident it is true that the Station Master, Hosahalli asked me to send him his bedding from the hotel at Lakkavalli and I did by the relief train in the night.

I have not actually seen Station Master, Hosahalli, come by fuel train or goods train in the evening. But he have come, got down somewhere and walked to Lakkavalli.

Sd/ K Narasimha

A g e. 38.

Caste. Brahmin.

Occupation. P.W. Inspector, Mysore Railways.

P a y. Rs. 90/-.

Period of service. 15 years.

At about 17 hours on 26th while I was at home the Station Master, Tadasa, came to me personally and informed me in Kanarese that there is a serious accident nearby and that I must go at once. Then I asked my men to put on the trolly and started immediately as I was and also took Mr. Subba Rao, Co-P.W. Inspector. By about 17-20 I reached the spot and I saw one woman lyingby the side of the P.Way seriously injured and her relatives crying sitting all round. Then I went round and saw one young man with both legs caught between the frames of P.W.102 and T.T.57. Just underneath one edge of P.W.102 a boy of about 6 years was with his right leg caught underneath up to the thigh. Then I went the other side and saw mangled portion of a woman's body. I could not exactly gauge then how many persons were caught there. Just behind there was one more elderly man with his left foot caught underneath the edge of P.W.102 and all the woddars that were there began to cry for help and asked somehow to extricate the living. Seeing that one man could not do anything, I put the trolly again back after 25 minutes and took the seriously injured woman on the trolly and went to Tadasa, despatched the woman to Agasanhadlu their halting place. Then I informed of the seriousness of the accident to the Station Master and asked him to send in messages all round for medical aid. Then I arranged to take sleepers and other materials required to lift up wagon etc. Again I went to spot after about half an hour i.e. 18-38 with materials taking 2 seers of milk with me to feed the wounded. I asked the woddars to feed them. The sleepers were insufficient. So I asked the driver of fuel train to uncouple his engine with three trucks that were on line to go to Tadasa and bring more material. I went there. By then it was dark, loaded 150 Metre Gauge sleepers. By then, I got information that Narasimharajapura Doctor was coming. I waited for him for some time. On his arrival, I took the train to the spot at about 20 hours. After going to the spot the Doctor saw the condition and nature of help required and thought all ~~things~~ himself he could not do anything. While I was at Tadasa alone, I had got the information that medical aid was coming from Bhadravati by car and so I asked the driver to go back to Tadasa; and await arrival of Bhadravati Doctor and go to spot with them. I stayed back at the spot with the help of my men and built a crib below the lifted up B.C.B. and released its weight on the P.W.102. After some time the General Manager, with his staff and medical aid arrived at the scene of accident ~~shrank~~ at about 10-45. With their help the 6 years old boy and the elderly man mentioned above were first released and were treated by doctors. The other man who was dangling with much difficulty, his left leg was extricated. After some time while we were trying to

Collision of 59 Up with Fuel train at mile 20/22 Tarikere Narasimharajapura Tramway on 26th September 1929.

A summary of comment on the evidence.

From the evidence given it is clear that all the parties are only too anxious to save themselves from being held responsible in any way for the accident and have been giving evasive or false replies. The whole accident is due to two trains being admitted to the same section before the first train cleared section. The Station Master, Tadasa, states that he got in report for 59 Up and line clear report for 93 Up Fuel special from Hosahalli while the Station Master, Hosahalli is equally positive that he did not give the Station Master, Tadasa, in report for 59 Up or line clear reply for 93 Up. It is also evident that Station Master, Tadasa, had the correct Private number for the second train namely, the fuel train. The line clear ticket for 93 Up has also been produced by the driver of that train. The Station Master, Tadasa, is positive that he got the Private number from Station Master, Hosahalli, which the Station Master, Hosahalli, denies, but explains that Station Master, Tadasa, was aware of it on account of his wrongly having given this number for 59 Up. It is hard to believe either, but the fact is there, that there is the line clear ticket issued by Tadasa with the private number 3 which is according to the P.N. sheet of Station Master, Hosahalli, the number to be given for a train after 59 Up. An examination of P.N. sheet of Hosahalli was made and this number 3 was seen to have been scored out vertically as though it had not been issued. It was also found on examination of the line clearbook of Hosahalli that he had entered against the In report column of 59 Up that the train had not arrived at his end and also that he had not entered any line clear enquiry from Tadasa or ~~P.N.~~ to that station

reply

for 93 Up. The Station Master, Tadasa, states that when he gave to Hosahalli the out report for 53 Up he could not get Hosahalli's acknowledgment for the same at 16-25 hours; but the Station Master, Hosahalli, states that at 16-8 hours itself, the Station Master, Tadasa told him that he (Tadasa) had re-received in report for 59 Up, line clear report for 93 Up and also the news that the two trains had collided. From the evidence of the Station Master, Lakkavalli, it is seen that Station Master, Hosahalli, was at the instru ment at 15-52 hours, when he had applied to Lakkavalli for line clear for 59 Upand also that he wasnot available later on till 17-52 hours. We are inclined to believe that at 16-8 hours, Station Master, Tadasa did inform Station Master, Hosahalli, that 93 Up had left Tadasa and that both trains were in the section and that a collision had taken place. We are inclined to believe that the accident did occur some time before 16 hours and that the Guards and drivers of the two trains as also the Station Master, Tadasa, has stated the trains earlier and booked wrong timings. We believe that sufficient care is not bestowed by all the train and station staff in general on this section in observing strictly the rules laid down for working trains in block sections and also that even private numbers are given in advance for more than one train in a section before the section has been actually cleared as it appears to have happened in this case.

Sd/ K Srinivasaraghavan

COLLISION OF 59 UP WITH FUEL TRAIN
AT MILE 2/22 TARIKERE-NARASIMHARAJAPUR-
T R A M W A Y, ON 26th SEPTEMBER 1929.

FINDING ARRIVED AT
BY THE COMMITTEE.

I After carefully considering the evidence and the records produced we find that the cause of the accident was due to the admission of two trains into the Tadasa-Hoshalli section and the Station Master of both the Stations are primarily ~~xxx~~ responsible for the accident for the following reasons :-

1. The Station Master, Hoshalli in communicating two private numbers for both trains in advance to - Station Master Tadasa.

2. The Station Master, Tadasa, in - having started the fuel train before the first or Goods had cleared section at Hoshalli.

II We also find that the Train Staff of both the trains are also responsible for the - following reasons that :-

1. The Guard of Mysore Railway train did not protect the train while backing as required in ~~xxxx~~ rule 61(a).

2. The train crew of the Iron Ore train failed to keep a proper look out and be ready to stop the train short of any obstruction as required in Rule 15 (3) App. C of the General and Subsidiary Rules.

3. Both the trains were running at excessive speed as can be seen from the consequences of the collision.

III From the inspection of the accident spot we could see that a train approaching another train could be seen at a distance of 940 feet from each other, and that if the crews of either train had kept a proper look out, the collision could have been totally avoided or

(contd.)

40

or at least the consequences of the collision minimised and no lives could have been lost. Further it is a point for record that the Iron Works Train was not protected with sufficient brake power to control the train in case of an emergency. The P.W.brake being a light vehicle it was lifted up and thrown on T.T. by the force of the collision. If a heavier type of vehicle had been used as a brake it is possible that there would not have been so many deaths.

Sd/ K Srinivasa Iyengar
President

Sd/ [illegible] Member

Sd/ S[illegible] Rajagopala Iyer
Member

COLLISION OF 69 UP WITH FUEL TRAIN AT MILE 20/22 TARIKERE-NARASIMHARAJA-PURA TRAMWAY ON 26TH SEPTEMBER 1929.

RECOMMENDATIONS.

1. As the number of trains working on the Tarikere-Narasimharajapur Tramway is fairly heavy on account of the Fuel Trains working between stations, we recommend in the interest of safety the installation of key staff instruments at each station.

2. We also recommend that no trains should be allowed to work on this section except with adequate brake power and full facility for the Guard to keep a look out from both ends of the brake van.

3. Coolies on fuel trains should not be allowed to travel on open fuel trucks but should be carried only in covered passenger carriages.

4. Light types of vehicles such as P.W.'s should be prohibited from running. As regards the German trucks they may be gradually eliminated.

5. In conclusion the committee would like to place on record the prompt and good work done by the P.W. Inspector of Kadaba Mr. ...Ananda Rao, and the officers of the Iron Works including the Medical Officer who arrived at the accident spot with efficient medical aid.

Sd/ K S [illegible] Chairman

Sd/ H S [illegible] Member

Sd/ S K Rajagopala Rao

COLLISION OF 59 UP WITH FUEL TRAIN
AT MILE 20/22 TARIKERE-NARASIMHA-
RAJAPURA TRAMWAY ON 26th SEPTEMBER '29.

Statement of Damages to Rolling
Stock of Mysore R a i l w a ys.

		Cost.
1.	B.C.B. buffer head was broken -	Rs. 50-0-0
2.	B.C.B. buffer hook was broken -	" 15-0-0
3.	B.C.B. drawbars bent - -	" 5-0-0
4.	Side pannel sheet totally torn -	" 35-0-0
5.	Two angle irons broken into two pieces -	" 10-0-0
6.	1½ lbs. S.P. Hammer was lost while working at the accident spot	" 2-8-0
7.	P.S.102 crushed - -	" 350-0-0
	Total - -	Rs. 4,60-8-0

Sdy H S Rao
Dy Ms Mgr

COLLISION OF 59 UP WITH FUEL TRAIN AT MILE 20/22 TARIKERE-NARASIMHARAJAPUR TRAMWAY ON 20th SEPTEMBER 1929.

Statement of Damages to Rolling stock of Mysore Iron W o r k s.

		Cost.
1.	1 No. buffers completely broken -	Rs.150/-
2.	Head Stock was bent on one side -	" 15/-
3.	One side head stock was broken -	" 35/-
4.	1 No. Side-buffer completely broken -	" 75/-
	Total -	Rs. 275/-

Forwarded for Confirmation from Bdrs.

Sdy C/N Annaiya

for & on behalf of Tramways

Oct 29

(441

COLLISION OF 59 UP WITH FUEL TRAIN AT MILE 20/22 TARIKERE-NARASIMHARAJAPURA TRAMWAY ON 26TH SEPTEMBER 1929.

APPENDIX.

Suggestions for the infliction of punishment of the staff responsible in the Traffic Department.

The Services of the following should be dispensed with :-

1. D.Siva Rao, Station Master, Tadasa.
2. M.S.Ramaswamy, Relieving Assistant Station Master, Honalalli.
3. V. Amaiah, Guard.

Sd/ S.K Narasimha Rao
Asst
Loco Depot

The Driver of 59 Up Goods of the 26th September 1929 be reduced by Rs.10/- per month for leaving his engine, not giving any assistance at scene of accident and running away with the fireman.

Sd/ H.S Rao,
Dy CS

Appendix F G—1

SUBJECT.....

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Section Law

File No. 146-29

Serial No. 2

Diary No. of letter replied to.....

No. 5755

General and Revenue Secretariat

( )

the *192*

To

The Agent

Mysore Railways.

Date of issue 16/4/30

Sir,

Signed by M^r R S

With reference to your letter No: 10234 dated 3rd April 1930 regarding the granting of Copies of Certain Statements before the Joint Enquiry Committee to Mr M.S. Ramaswami, I have the honour to request you to state under what provision of law, if any, such enquiry Committees are appointed, and if they are under rules framed

List of enclosures.....

Copied by.....

Examined by.....

over

WD 063—GPB—20,000—1-8-29

76

under sec 67 of the Mysore
Ry Regulation, to send to this
office a copy of such rules.

I have etc.

W Legal Remembrancer

DNG
11.4.30

AM 7/4

MRM A 248—2000—10-2-30

5161 P 29 47

MYSORE RAILWAYS

All communications should be addressed to the Agent, Mysore Railways, Mysore by TITLE, not by NAME

AGENT'S OFFICE,

Mysore, 22nd April 1930.

No. 10794 /Fl.

Enc.

Law 146-29-3

From

THE AGENT,

Mysore Railways,

MYSORE.

To

The Secretary to the Government of Mysore, Law Department

Bangalore.

Sir,

ACCIDENT NEAR TADASA ON [redacted].

With reference to your letter No.P.5755/LAW.146-29-2 dated the 16th April 1930, I have the honour to state that the Joint Enquiry Committee was appointed as per Rule 12 page 19 of the Rules for Reporting and Investigating Accidents on the Mysore Railways, a copy of which is herein enclosed for reference and return.

As can be seen from para 1 of the Preface to the Rules, they are issued under Section 67 of the Mysore Railway Regulation.

Encl. One copy of the Accident Rules

I have thehonour to be,

Sir,

Your Most Obedient Servant.

Agent.

22/4

MSAB.

Appendix F G—1

SUBJECT.....

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Section Law

File No. 146-29.

Serial No. 4

No. 6361(1)

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193*

To

The Agent.....
Mysore Rys

Date of issue..... 15/5/30

Signed by..... .....

Sir,

With reference to ~~the letter~~ The Correspondence ending with your letter no 10794 dated 22nd April 1930, regarding the granting of ~~Certain~~ Copies of Statements before the Joint Enquiry Committee to Mr. M. S. Ramaswami, I have the honour to state that the Committee's report of its findings ~~to be~~ ~~Regard~~

over

List of enclosures.....

Copied by.....

Examined by.....

WD 02827—GPB—5,000—15-4-30

may be regarded as a Communication made to you in official confidence and it is open to you to refuse to grant a copy of it to the accused if you consider that the public interests would suffer by the disclosure.

The Statements made before the Committee by the members of the Railway staff are however public documents in which the accused is interested and to which he cannot reasonably be denied access. As such, Copies of the statements applied for may be granted.

The Copy of the Rules for Reporting and Investigating Accidents sent with your letter are returned herewith

Thanking

Yours Obedt
Servt

79(52)

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. 76361 (1) *Dated, Bangalore,* 15th May 1930.

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Agent, Mysore Railways,
M y s o r e.

Sir,

With reference to the correspondence ending with your letter No. 10794 dated 22nd April 1930, regarding the granting of copies of certain statements before the Joint Enquiry Committee to Mr.M.S. Ramaswami, I have the honor to state that the Committee's report of its findings may be regarded as a communication made to you in official confidence and it is open to you to refuse to grant a copy of it to the accused if you consider that the public interests would suffer by the disclosure.

The statements made before the Committee by the Members of the Railway Staff are however public documents in which the accused is interested and to which he cannot reasonably be denied access. As such, copies of the statements applied for may be granted.

The copy of the rules for Reporting and Investigating accidents sent with your letter are returned herewith.

I have the honor to be,
Sir,
Your most obedient servant,

Fairweather
Legal Remembrancer
and Secretary to Government
Law Department.

c.n.